IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 3424 of 2005

Between:

G.Ramanjaneya Raju, S/o.Ramabhadra Raju
R/o.Bowrampet Village, Qutubullapur Mandal
Ranga Ranga Reddy.

..... PETITIONER

AND

1 The Collector (Civil Supplies), ranga Reddy District, Lakdikapul, Hyderabad.
2 The Joint Collector, II, Ranga Reddy District, Lakdikapul, Hyderabad.
3 The Special Grade Deputy Collector and revenue Divisional Officer,
Ranga Reddy District East Division, Goshamahal, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ, order or direction, particularly a writ of mandamus, declaring the action of respondent No.3 in issuing Proceeding No.C-523/2005, dt.21.2.2005 as illegal, arbitrary and contrary to the provisions of the Essential Commodities Act and issue consequential orders setting aside the same and pass such further or other orders.

Counsel for the Petitioner: MR.J.PRABHAKAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

Challenging the order passed by the third respondent, suspending his authorisation as fair price shop dealer, pending enquiry, the petitioner filed this writ petition.

It is to be seen that against the order of the third respondent, a statutory appeal is provided under the Control Order, 2001 before the second respondent. Of course, a revision has also been provided thereafter. But the petitioner without availing any such remedies has directly come to this Court by filing this writ petition.

Under those circumstances, the writ petition is dispose of, with a liberty being given to the petitioner to approach the appellate authority-Joint Collector within two weeks from today and upon any such appeal being filed by the petitioner, the Joint Collector-second respondent shall dispose of the same in accordance with law, as expeditiously as possible. No costs.

However, it is made clear here that if the petitioner files any application seeking interim stay of the order of the third respondent, the appellate authority shall dispose of the said application also by passing appropriate orders as deemed fit. Till such time, the interim orders granted by this court dated 24-2-

2005 shall be in subsistence.

It is further made clear that in the meanwhile the third respondent can proceed with enquiry and arrive at a conclusion.

16-03-2005

Note:

Issue CC in three days.

B/0

KVSN

To

1 The Collector (Civil Supplies), Ranga Reddy District, Lakdikapul, Hyderabad.
2 The Joint Collector, II, Ranga Reddy District, Lakdikapul, Hyderabad.
3 The Special Grade Deputy Collector and revenue Divisional Officer,
Ranga Reddy District East Division, Goshamahal, Hyderabad.

4 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

5 Two CD copies.